

IFW

2621

(Substitute) PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

## TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

4+

Application Number

10/532,147

Filing Date

April 20, 2005

First Named Inventor

Spencer SHORTE

Art Unit

2621

Examiner Name

Attorney Docket Number

B1180/20036

Five Foreign Patent Documents & Twelve Non Patent Literature Documents

### ENCLOSURES (Check all that apply)

- ☐ Fee Transmittal Form
- ☐ Fee Attached
- ☐ Amendment/Reply
  - ☐ After Final
  - ☐ Affidavits/declaration(s)
- ☐ Extension of Time Request
- ☐ Express Abandonment Request
- ☒ Information Disclosure Statement
- ☐ Certified Copy of Priority Document(s)
- ☐ Reply to Missing Parts/Incomplete Application
  - ☐ Reply to Missing Parts under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)
- ☐ Licensing-related Papers
- ☐ Petition
- ☐ Petition to Convert to a Provisional Application
- ☐ Power of Attorney, Revocation
- ☐ Change of Correspondence Address
- ☐ Terminal Disclaimer
- ☐ Request for Refund
- ☐ CD, Number of CD(s) \_\_\_\_\_
- ☐ Landscape Table on CD

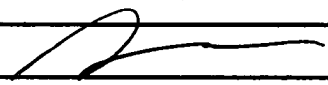
- ☐ After Allowance Communication to TC
- ☐ Appeal Communication to Board of Appeals and Interferences
- ☐ Appeal Communication to TC (Appeal Notice, Brief, Reply Brief)
- ☐ Proprietary Information
- ☐ Status Letter
- ☒ Other Enclosure(s) (please identify below):

Return Receipt Postcard, Five (5) Foreign Patent Documents and Twelve (12) Non Patent Literature Documents

Remarks

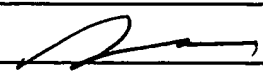
Please charge Attorney Account No. 03-0075 as necessary to effect entry and/or ensure consideration of this submission.

### SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Caesar, Rivise, Bernstein, Cohen & Pokotilow, Ltd., Customer No. 03000		
Signature			
Printed name	David M. Tener		
Date	March 16, 2006	Reg. No.	37,054

### CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature			
Typed or printed name	David M. Tener	Date	March 16, 2006

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.



**PATENT**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
PATENT EXAMINING OPERATION

Applicant(s): Spencer SHORTE et al.

Serial No: 10/532,147

Group Art Unit: 2621

Filed: April 20, 2005

Examiner:

Att. Docket No.: B1180/20036

Confirmation No.: 6486

For: METHOD AND DEVICE FOR 3 DIMENSIONAL IMAGING OF SUSPENDED  
MICRO-OBJECTS PROVIDING HIGH-RESOLUTION MICROSCOPY

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop AMENDMENTS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, the attention of the Patent and Trademark Office is hereby directed to the reference(s) listed on the attached PTO-1449. Unless otherwise indicated herein, one copy of each reference is attached. No copies of U.S. patents or U.S. patent application publications are attached. 37 CFR § 1.98(a)(2)(ii). It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the reference(s) be made of record therein and appear among the "References Cited" on any patent to issue therefrom. No representation is made that the reference(s) is/are prior art with respect to this application.

This Information Disclosure Statement is being filed within three months of the filing date of a national application other than a CPA under 37 CFR § 1.53(d), within three months of the date of entry of the national stage as set forth in 37 CFR § 1.491 in an international application, before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of an RCE under 37 CFR § 1.114. No certification or fee is required. 37 CFR § 1.97(b).

The references were cited in counterpart International Application No. PCT/EP 03/11818. An English language version of the International Search Report was received by the PTO from the international office, according to the February 24, 2006 Notice of Acceptance.

Application No. 10/532,147  
IDS dated March 16, 2006

WO 96/24875 A1 and WO 00/37920 include English-language abstracts.

U.S. Patent Application No. 6,801,311 B1 is an English-language counterpart of DE 199 03 001.

The cover page of WO 99/34653 A1, which includes an English-language abstract, is a counterpart of DE 197 57 785.

Respectfully submitted,

CAESAR, RIVISE, BERNSTEIN,  
COHEN & POKOTILOW, LTD.



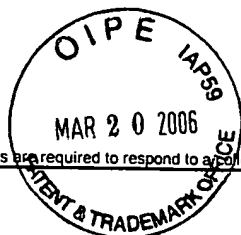
March 16, 2006

Please charge or credit our Account  
No. 03-0075 as necessary to effect  
entry and/or ensure consideration of  
this submission.

By \_\_\_\_\_

David M. Tener  
Registration No. 37,054  
Customer No. 03000  
(215) 567-2010  
Attorneys for Applicant(s)

Please type a plus sign (+) inside this box ☐



Substitute for PTO/SB/OBA (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

Substitute for Form 1449A/PTO

## INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheet as necessary)

Complete if Known

Application Number	10/532,147
Filing Date	April 20, 2005
First Named Inventor	SHORTE, Spencer
Group Art Unit	2621
Examiner Name	
Attorney Docket Number	B1180/20036

Sheet 1 of 1

### U.S. PATENT DOCUMENTS

Examiner Initials*	Cite No.	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code (if known)		
		5,948,328		FIEDLER et al	09-07-1999
		6,440,285	B1	FUHR	08-27-2002
		6,801,311	B1	FUHR et al.	10-05-2004
		2002/0050988	A1	PETROV et al.	05-02-2002

### FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No.	Foreign Patent Document			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	T
		Office	Number	Kind Code (if known)			
		WO	96/24875	A1	SCHWERTNER et al.	08-15-1996	
		WO	00/37920	A1	FUHR et al.	06-29-2000	
		EP	0 517 454	A2	MISAWA et al.	12-09-1992	
		DE	197 57 785	A1	FUHR et al.	07-15-1999	
		DE	199 03 001	A1	FUHR et al.	08-24-2000	

### OTHER DOCUMENTS - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No.	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T
		CHALMOND, B., et al., in "Inverse Problems" vol. 15, pp. 399-411 (1999)	
		FUHR, G., et al., "Biochim. Biophys. Acta" 1108, pp. 215-223 (1992)	
		FUHR, et al., "Appl. Phys. A." 67, pp. 385-390 (1998)	
		MÜLLER, Th., et al., "Biosensors & Bioelectronics" 14, pp. 247-256 (1999)	
		MÜLLER, Th., et al., "European Biophysics Journal" 29/4-5 (2000)	
		REICHLE, Ch., et al., "Biochim. Biophys. Acta" 1459, pp. 218-229 (2000)	
		REICHLE, Ch., et al., "Electrophoresis" 22/2, pp. 272-282 (2001)	
		SCHNELLE, Th., et al., "J. Electrostatics" 46, pp. 13-28 (1993)	
		SCHNELLE, Th., et al., "J. Electrostatics" 50, pp. 17-29 (2000)	
		SCHNELLE, Th., et al., "Appl. Phys. B" 70, pp. 267-274 (2000)	
		SCHNELLE, Th., et al., "Electrophoresis" 21, pp. 66-73 (2000)	
		WISSEL, H., et al., "American Journal of Physiology Lung Cell Mol. Physiol." 281, pp. L345-L360 (2001)	

EXAMINER

DATE CONSIDERED

\*Examiner: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.